

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 906 - HB 1357

February 12, 2023

SUMMARY OF BILL: Requires a local education agency (LEA) to pay a teacher's full salary, in addition to benefits, if a teacher is absent as a result of personal injury caused by a physical assault or other violent criminal act committed against the teacher in the course of the teacher's employment activities. Requires a teacher to file for worker's compensation benefits, if at the time of the injury the teacher was eligible for those benefits. Requires an LEA to pay the difference between the teacher's full salary and the workers' compensation or similar type benefits received. Establishes that an LEA is not required to pay the teacher's full salary or full benefits, or the difference between the teacher's full salary and the workers' compensation or similar type benefits received for more than one year.

FISCAL IMPACT:

Other Fiscal Impact – For teachers at State Special Schools or LEAs who become injured and absent due to an assault or other violent criminal act, an increase in state or mandatory local expenditures may occur. However, the extent and timing of any such increase cannot be reasonably determined.

Assumptions:

- Current law, Tenn. Code Ann. § 49-5-714, requires an LEA to provide benefits, comparable to a workers' compensation program, to a teacher who is injured and absent pursuant to this section for up to one year after the injury.
- The proposed legislation requires LEAs to also pay an injured teacher's full salary, or the difference between the teacher's salary and the worker's compensation, during their absence.
- DOE would also be required to pay an injured teacher's full salary, or the difference between the teacher's salary and the worker's compensation, during their absence, for teachers at any of the State Special Schools.
- For the 2021-22 school year, DOE has no record of any teachers who claimed worker's compensation as a result of an assault or other violent action in the state.
- It is unknown how many teachers may file a worker's compensation claim in future years as a result of being injured during a physical assault or violent criminal act during their employment activities.
- In the event a teacher at a State Special School or LEA or is absent as a result of personal injury caused by a physical assault or other violent criminal act during the teacher's employment activities, an increase in state or mandatory local expenditures

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will occur; however, based on multiple unknown variables, a precise fiscal estimate cannot be reasonably determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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